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One AT&T Way
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EXAMINER
RIES, LAURIE ANNE

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The time period for reply, if any, is set in the attached communication.

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/627,110
Filing Date: July 25, 2003
Appellant(s): SCHELL, HARRY MICHAEL

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David K. Purks
For Appellant

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EXAMINER'S ANSWER

This is in response to the appeal brief filed 5 January 2009 appealing from the Office

action mailed 1 February 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

2004/0001223 A1	TANAKA	1-2004
2004/0083273 A1	MADISON	4-2004
2004/0161080 A1	DIGATE	8-2004
6,906,817 B1	BERARD	6-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-4, 6-7, 12-14, and 16-17 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Tanaka (U.S. Publication 2004/0001223 A1).

     As per independent claims 6 and 16, Tanaka discloses a computer program product and a method of routing print files in a computer system including evaluating content of at least one print file (See Tanaka, Page 3, paragraph 0040), where the print file is configured by an application for printing on a printer device (See Tanaka, Page 3, paragraph 0040), and selectively routing the print file based on the evaluated content of the print file to a non-printer device instead of to a printer device in response to the evaluated content of the print file (See Tanaka, Figure 6, and Pages 3-4, paragraph 0045).

     Tanaka does not disclose expressly that the evaluation is based on a routing policy; however, Tanaka does disclose that the routing is based on information derived from a distribution route service database.

     It would have been obvious to one of ordinary skill in the art at the time of the invention to conclude that the information contained in the distribution route service database comprises a routing policy. The motivation for storing the routing policy information in a distribution route service database would be to allow for subsequent invoicing based on the content of the print order and the distribution route information (See Tanaka, Page 3, paragraph 0040). Therefore, it would have been obvious to conclude that the information contained in the distribution route service database comprises a routing policy for the benefit of allowing for subsequent invoicing based on the content of the print order and the distribution route as stored in the distribution route service database to obtain the invention as specified in claims 6 and 16.

   As per dependent claims 2 and 12, Tanaka discloses the limitations of claims 6

and 16 as described above. Tanaka also discloses searching the content of the print

file for one or more keywords that are defined by the routing policy (See Tanaka, Pages

3-4, paragraph 0045).

   As per dependent claims 3 and 13, Tanaka discloses the limitations of claims 6

and 16 as described above. Tanaka also discloses comparing the content of the print

file to one or more data structures that are defined by the routing policy (See Tanaka,

Page 3, paragraph 0040).

   As per dependent claims 4 and 14, Tanaka discloses the limitations of claims 6

and 16 as described above. Tanaka also discloses evaluating content based on setting

files (See Tanaka, Page 3, paragraph 0040). Tanaka does not disclose expressly that

the settings are contained in an INI file, however, it is well known in the art that an INI

file contains system configuration or setting information (See definition of INI file,

Microsoft Computer Dictionary, Fifth Edition, Page 273).

   As per claims 7 and 17, Tanaka discloses the limitations of claims 6 and 16 as

described above. Tanaka also discloses posting the print file on a Web page (See

Tanaka, Page 3, paragraph 0042, Pages 3-4, paragraph 0045, and Figure 7).

   Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 5 and 16 above, and

further in view of Madison (U.S. Publication 2004/0083273 A1).

As per dependent claims 5 and 15, Tanaka discloses the limitations of claims 6 and 16 as described above. Tanaka does not disclose expressly renaming the print file based on the content of the print file and the routing policy. Madison discloses renaming a file based upon the data within the file, such as XML data indicating a successful or unsuccessful file upload, and a routing policy, such as the value of the XML data updated according to the result of the upload attempt (See Madison, Page 8, paragraphs 0085-0088). Tanaka and Madison are analogous art because they are from the same field of endeavor of managing electronic data. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the renaming of a file of Madison with the file routing system and method of Tanaka. The motivation for doing so would have been to allow a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data (See Madison, Page 8, paragraph 0088). Therefore, it would have been obvious to combine Madison with Tanaka for the benefit of allowing a user to determine whether an upload attempt of the file was successful or unsuccessful based upon the file name and subsequent recorded data to obtain the invention as specified in claims 5 and 15.

Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 6 and 16 above, and further in view of Digate (U.S. Publication 2004/0161080 A1).

As per dependent claims 8 and 18, Tanaka discloses the limitations of claims 6

and 16 as described above. Tanaka does not disclose expressly emailing the file to one

or more users on a computer network based on the content of the print file and the

routing policy. Digate discloses a rules based messaging system including emailing

data based on various defined rules (See Digate, Page 1, paragraph 0012). Tanaka

and Digate are analogous art because they are from the same field of endeavor of

distributing electronic information. At the time of the invention it would have been

obvious to a person of ordinary skill in the art to include the emailing of data of Digate

with the routing policy of Tanaka. The motivation for doing so would have been to

control the distribution of the data (See Digate, Page 1, paragraph 0013). Therefore, it

would have been obvious to combine Digate with Tanaka for the benefit of controlling

the distribution of data to obtain the invention as specified in claims 8 and 18.

Claims 9-10 and 19-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Tanaka (U.S. Publication 2004/0001223 A1) as applied to claims 6

and 16 above, and further in view of Berard (U.S. Patent 6,906,817 B1).

As per dependent claims 9-10 and 19-20, Tanaka discloses the limitations of

claims 6 and 16 as described above. Tanaka does not disclose expressly importing

information from the print file into a spreadsheet application, a word processor

application, and/or a database application, and transferring information from the print file

to known fields in a report defined by the routing policy. Berard discloses sending

information from the print file to a database application (See Berard, Column 8, lines 31-35). It is well known in the art that "importing information" is equivalent to sending information, or bringing information from one application or program to another (See Microsoft Computer Dictionary, Fifth Edition, definition of "import"). Berard also discloses rules that extract data such as a telephone number or email address from the file to known fields within the receiving application as defined by the routing policy (See Berard, Column 6,lines 40-47 and lines 50-67). Tanaka and Berard are analogous art because they are from the same field of endeavor of managing electronic data for delivery. At the time of the invention it would have been obvious to one of ordinary skill in the art to include the transfer of information to a database application and the transfer of information from the file to known fields in a report of Berard with the routing system and method of Tanaka. The motivation for doing so would have been to associated the inputted file with one of a number of previously defined documents or document types (See Berard, Column 6, lines 48-50). Therefore, it would have been obvious to combine Berard with Tanaka for the benefit of associating the inputted file with one of a number of previously defined documents or document types to obtain the invention as specified in claims 9-10 and 19-20.

        Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Berard (U.S. Patent 6,906,817 B1) in view of Tanaka (U.S. Publication 2004/0001223 A1) and Madison (U.S. Publication 2004/0083273 A1).

As per independent claim 21, Berard discloses a method of routing print files in a computer system including a print file configured by an application for printing on a printer device (See Berard, Column 6, lines 40-47 and lines 50-58, Column 7, lines 58-67, and Column 9, lines 1-9). Berard also discloses sending information from the print file to a database application instead of routing the print file to a printing device (See Berard, Column 8, lines 31-35).

Berard does not disclose expressly searching the content of the file to identify one or more keywords that are defined by a routing policy or selectively renaming the file based on the identified keywords.

Tanaka discloses searching the content of a file to identify keywords defining a routing policy for the file (See Tanaka, Page 3, paragraph 0040).

Madison discloses renaming a file based upon the data within the file, such as XML data indicating a successful or unsuccessful file upload, and a routing policy, such as the value of the XML data updated according to the result of the upload attempt (See Madison, Page 8, paragraphs 0085-0088).

Berard, Tanaka, and Madison are analogous art because they are from the same field of endeavor of managing electronic data.

At the time of the invention it would have been obvious to one of ordinary skill in the art to include the keyword search of Tanaka with the routing method of Berard. The motivation for doing so would have been to determine and display the distribution route services and the privilege services to a user (See Tanaka, Page 3, paragraph 0040).

At the time of the invention it would also have been obvious to one of ordinary

skill in the art to include the renaming of a file of Madison with the file routing system

and method of Tanaka. The motivation for doing so would have been to allow a user to

determine whether an upload attempt of the file was successful or unsuccessful based

upon the file name and subsequent recorded data (See Madison, Page 8, paragraph

0088).

Therefore, it would have been obvious to combine Tanaka and Madison with

Berard for the benefit of determining and displaying the distribution route services and

the privilege services to a user and allowing a user to determine whether an upload

attempt of the file was successful or unsuccessful based upon the file name and

subsequent recorded data to obtain the invention as specified in claim 21.

(10) Response to Argument

1. With regard to claims 6 and 16, Appellant argues that Tanaka fails to teach a *print

file* that is configured by an application for printing on a printer device, further arguing

that the setting file of Tanaka is not a print file because is it not configured to be printed

and it is not printed by the print server. The Office respectfully disagrees. The

Appellant has applied a narrow definition of "print file" that is not supported by

Appellant's Specification. The settings file, as taught by Tanaka, may be printed on a

printer device in that they contain printable data, such as "magazine A" and "privilege

service 1" representing text data contained within the settings file (See Tanaka, Page 3,

paragraph 0045). As the settings file of Tanaka contains printable data, such as text data that is configured to be printed, the Office has reasonably interpreted Tanaka to read upon Appellant's claim limitation as presented in independent claims 6 and 16.

Appellant further argues that Tanaka fails to teach that the image file is selectively routed to a non-printer device instead of being printed by the print server in response to evaluation of the content of the image file based on a routing policy. The Office respectfully disagrees. As described above, Tanaka teaches that the settings file contains text data such as "magazine A" and "privilege service 1". Tanaka further teaches that this information is used to determine the distribution route information, such as uploading the data to a personal computer rather than sending it to a printer device (See Tanaka, Pages 3-4, paragraphs 0045-0046).

2. With regard to claim 21, Appellant argues that Berard in combination with Tanaka fails to teach that the print file is selectively renamed based on identifying one or more keywords contained in the print file that are defined by a routing policy, instead of routing the print file to a printing device. The Office respectfully disagrees. Tanaka teaches a print file as discussed above in relation to claims 6 and 16. Tanaka further teaches searching the contents of the print file to identify keywords defining a routing policy, such as the distribution route information, name, and privilege service (See Tanaka, Page 3, paragraph 0040).

3. With regard to claims 5 and 15, the Office maintains the grounds of rejection as applied to claim 21 as described above. Claims 5 and 15 remain rejected based upon their dependency from claim 21.

4. With regard to claims 7 and 17, Appellant argues that Tanaka fails to teach that the print file is selectively posted on a Web page instead of being routed to a printer device for printing. The Office respectfully disagrees. Tanaka teaches a print file as described above. Tanaka further teaches displaying the print file on a Web page (See Tanaka, Page 3, paragraph 0042, Pages 3-4, paragraph 0045, and Figure 7).

5. With regard to claims 9 and 19, Appellant argues that Tanaka in combination with Berard fails to teach that the print file is selectively imported into a spreadsheet application, a word processor, and/or a database application instead of being routed to a printer device for printing based on evaluation of the content of the print file and a routing policy. The Office respectfully disagrees. Tanaka teaches the evaluation of the content of the print file and a routing policy as described above in relation to claims 6 and 16. Berard further teaches importing information from a file, such as a print file, to a database application (See Berard, Column 8, lines 31-35). As discussed on Page 7 of the Final rejection, filed 1 February 2007, it was well known in the art at the time of the invention that "importing information" is equivalent to sending information, or bringing information from one application or program to another, as described in the Microsoft Computer Dictionary, Fifth Edition, definition of "import". Berard further teaches rules

that extract information, such as a telephone number or email address, from the file to

known fields within the receiving application as defined by the routing policy (See

Berard, Column 6, lines 40-47 and lines 50-67).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Laurie Ries/
Primary Examiner
Technology Center 2100
23 January 2009

Conferees:

/DOUG HUTTON/
Supervisory Patent Examiner, Art Unit 2176

Stephen Hong

/Stephen S. Hong/
Supervisory Patent Examiner, Art Unit 2178